

**BEFORE THE
FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION**

In The Matter Of:

NINOSLAV LUKIC,

Respondent

**Docket No. FMCSA-2010-0159¹
(Eastern Service Center)**

ORDER TERMINATING PROCEEDING AND CLOSING DOCKET

On March 19, 2010, the Connecticut Division Administrator of the Federal Motor Carrier Safety Administration (FMCSA) issued a Notice of Claim (NOC) against Ninoslav Lukic (Respondent). The NOC charged Respondent with one violation of 49 CFR 383.53(b)(1)/49 U.S.C. § 31310(i)(2), operating a commercial motor vehicle after having been declared out-of-service before the prescribed off-duty time has been accumulated, and proposed a civil penalty of \$2,590.

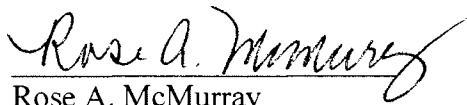
On June 10, 2010, the Acting Field Administrator for the FMCSA's Eastern Service Center (Claimant) submitted a Notification of Settlement and Motion to Close Docket. Claimant and Respondent entered into a Settlement Agreement which resolves the matters at issue here. Under the Settlement Agreement, which was executed on June 7, 2010, and adopted as a Final Order,² Respondent agreed to pay the negotiated penalty of \$2,000 in eight consecutive monthly installments. Paragraph 6 of the agreement provides that failure to comply with the payment

¹ The prior case number was CT-2010-0089-US1266.

² Settlement Agreement, paragraph 8.

plan may result in the loss of any reduction in civil penalties asserted in the NOC. I conclude that the settlement is in the public interest and it is accepted.³

THEREFORE, *It Is Hereby Ordered*, the Settlement Agreement is the Final Order in this matter, the proceeding is terminated, and the docket is closed.



Rose A. McMurray
Assistant Administrator
Federal Motor Carrier Safety Administration

6.29.10
Date

³ See 49 CFR 386.22(c).

CERTIFICATE OF SERVICE

This is to certify that on this 1 day of July, 2010, the undersigned mailed or delivered, as specified, the designated number of copies of the foregoing document to the persons listed below.

Ninoslav Lukic
773 Hancock Avenue
Akron, OH 44314

One Copy
U.S. Mail

Anthony G. Lardieri, Esq.
Trial Attorney
Office of Chief Counsel (MC-CCE)
Federal Motor Carrier Safety Administration
802 Cromwell Park Drive, Suite N
Glen Burnie, MD 21061

One Copy
U.S. Mail

Loretta Bitner, Acting Field Administrator
Federal Motor Carrier Safety Administration
802 Cromwell Park Drive, Suite N
Glen Burnie, MD 21061

One Copy
U.S. Mail

Jeffrey Cimahosky
Connecticut Division Administrator
Federal Motor Carrier Safety Administration
628-2 Hebron Avenue, Suite 302
Glastonbury, CT 06033

One Copy
U.S. Mail

Docket Operations
U.S. Department of Transportation
1200 New Jersey Avenue SE
Room W12-140
Washington, DC 20590

Original
Personal Delivery